



Order Filed on August 25, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT District of New Jersey
Albert Russo Po Box 4853 Trenton, NJ 08650-4853 (609) 587-6888 Standing Chapter 13 Trustee
In re: Elsworth A. Ungemah Mary Ann E. Ungemah Debtor(s)

Case No.: 18-12714 / MBK

Hearing Date: 08/24/2022

Judge: Michael B. Kaplan

Chapter: 13

ORDER CONFIRMING MODIFIED CHAPTER 13 PLAN

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**.

DATED: August 25, 2022


Honorable Michael B. Kaplan
United States Bankruptcy Judge

The modified plan of the debtor having been proposed to creditors, and a hearing having been held on the confirmation of such modified plan, and it appearing that the applicable provisions of the Bankruptcy Code have been complied with; and for good cause shown, it is

ORDERED that the modified plan of the above named debtor, dated 07/19/2022, or the last amended plan of the debtor be and it is hereby confirmed. The Standing Trustee shall make payments in accordance with 11 U.S.C. § 1326 with funds received from the debtor.

ORDERED that the plan of the debtor is confirmed to pay the Standing Trustee for a period of 60 months.

ORDERED that the debtor shall pay the Standing Trustee, Albert Russo, based upon the following schedule, which payments shall include commission and expenses of the Standing Trustee in accordance with 28 U.S.C. § 586:

\$14,428.00 PAID TO DATE

\$300.00 for 6 months beginning 09/01/2022

ORDERED that the case is confirmed with a calculated plan funding of \$16,228.00. General unsecured creditors are scheduled to receive a pro-rata dividend of funds available.

ORDERED that the Standing Trustee shall be authorized to submit, ex-parte, an Amended Confirming Order, if required, subsequent to the passage of the claims bar date(s) provided under Fed. R. Bank. P. 3002.

ORDERED that the debtor's attorney be and hereby is allowed a fee pursuant to the filed 2016(b) Statement. Any unpaid balance of the allowed fee shall be paid to said attorney through the Chapter 13 plan by the Standing Trustee.

ORDERED that if the debtor should fail to make plan payments or fail to comply with other plan provisions for a period of more than 30 days, the Standing Trustee may file, with the Court and serve upon the Debtor and Debtor's Counsel, a Certification of Non-Receipt of Payment and request that the debtor's case be dismissed. The debtor shall have fourteen (14) days within which to file with the Court and serve upon the Trustee a written objection to such Certification.

ORDERED that to the extent Section 7 of the debtor's plan contains motions to avoid judicial liens under 11 U.S.C. § 522(f) and/or to avoid liens and reclassify claims in whole or in part, such motions are hereby granted, except as specified below:

NO EXCEPTIONS

ORDERED that upon completion of the plan, affected secured creditors shall take all steps necessary to remove of record any lien or portion of any lien discharged.

ORDERED that the Standing Trustee is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. § 1305(a).

ORDERED that if the debtor has provided for a creditor to be paid in the plan and no Proof of Claim is filed by such creditor before expiration of the applicable bar date, the debtor, pursuant to F.R.B.P. 3004, must file a Proof of Claim on behalf of the creditor within 30 days of the expiration of the applicable bar date. If the time period pursuant to F.R.B.P. 3004 has expired, the debtor must file a Proof of Claim on behalf of the creditor **and** file a motion to allow the Trustee to pay the late filed claim, or the debtor may obtain a Consent Order with the creditor authorizing the Trustee to pay an amount certain in the plan .

ORDERED as follows:

The debtors are to complete a sale or refinance of property located at 8 Laurelhurst Drive by November 30, 2022, and any non-exempt proceeds of said sale or refinance shall be paid to the Trustee for the benefit of creditors. The Trustee shall not pay any mortgage claims through the Chapter 13 plan pending the sale.

Certification of Default Order to be filed within 30 days of the August 24, 2022 modified plan confirmation.

In re:
Elsworth A. Ungemah
Mary Ann E. Ungemah
Debtors

Case No. 18-12714-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Aug 26, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 28, 2022:

Recip ID	Recipient Name and Address
db/jdb	+ Elsworth A. Ungemah, Mary Ann E. Ungemah, 8 Laurelhurst Drive, Brick, NJ 08724-3644

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 28, 2022 Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 26, 2022 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Albert Russo	on behalf of Trustee Albert Russo docs@russotrustee.com
Aleisha Candace Jennings	on behalf of Creditor U.S. Bank National Association As Trustee for Banc of America Funding 2008-FT1 Trust, Mortgage Pass-Through Certificates, Series 2008-FT1 ajennings@raslg.com
Douglas J. McDonough	on behalf of Creditor BANK OF AMERICA N.A. dmcdonough@flwlaw.com
Harold N. Kaplan	on behalf of Creditor U.S. Bank National Association As Trustee for Banc of America Funding 2008-FT1 Trust, Mortgage Pass-Through Certificates, Series 2008-FT1 hkaplan@rasnj.com, informationathnk@aol.com

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Kevin Gordon McDonald

on behalf of Creditor U.S. Bank National Association as Trustee...et al kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com

Laura M. Egerman

on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE bkyecf@rasflaw.com, bkyecf@rasflaw.com;legerman@raslg.com

Lee Martin Perlman

on behalf of Debtor Elsworth A. Ungemah ecf@newjerseybankruptcy.com
mcdoherty@ecf.courtdrive.com;hspivak@ecf.courtdrive.com

Lee Martin Perlman

on behalf of Joint Debtor Mary Ann E. Ungemah ecf@newjerseybankruptcy.com
mcdoherty@ecf.courtdrive.com;hspivak@ecf.courtdrive.com

Melissa N. Licker

on behalf of Creditor U.S. Bank National Association as Trustee for Banc of America Funding 2008-FT1 Trust, Mortgage Pass-Through Certificates, Series 2008-FT1 as serviced by Nationstar Mortgage LLC d/b/a Mr. Cooper mlicker@hillwallack.com, HWBKnewyork@ecf.courtdrive.com

Melissa N. Licker

on behalf of Creditor U.S. Bank National Association As Trustee for Banc of America Funding 2008-FT1 Trust, Mortgage Pass-Through Certificates, Series 2008-FT1 mlicker@hillwallack.com, HWBKnewyork@ecf.courtdrive.com

Phillip Andrew Raymond

on behalf of Creditor U.S. Bank National Association As Trustee for Banc of America Funding 2008-FT1 Trust, Mortgage Pass-Through Certificates, Series 2008-FT1 phillip.raymond@mccalla.com, mccallaecf@ecf.courtdrive.com

Phillip Andrew Raymond

on behalf of Creditor U.S. Bank National Association as Trustee for Banc of America Funding 2008-FT1 Trust, Mortgage Pass-Through Certificates, Series 2008-FT1 as serviced by Nationstar Mortgage LLC d/b/a Mr. Cooper phillip.raymond@mccalla.com, mccallaecf@ecf.courtdrive.com

Sindi Mncina

on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE smncina@raslg.com

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on behalf of Creditor U.S. Bank National Association as Trustee...et al smncina@raslg.com

Sindi Mncina

on behalf of Creditor U.S. Bank National Association As Trustee for Banc of America Funding 2008-FT1 Trust, Mortgage Pass-Through Certificates, Series 2008-FT1 smncina@raslg.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 17